

FILED

JUL 24 2006

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BY: *[Signature]*  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

MARY W. HILLIARD,

Plaintiff,

v.

JO ANNE B. BARNHART, Commissioner  
of Social Security,

Defendant.

CASE NO. 4:06CV00019

REPORT AND RECOMMENDATION

By: B. WAUGH CRIGLER  
U.S. MAGISTRATE JUDGE

Upon consideration of the Commissioner's June 22, 2006 motion to remand and plaintiff's failure to object, it hereby is

RECOMMENDED

that an order enter GRANTING the Commissioner's motion to remand.

The Clerk is directed to immediately transmit the record in this case to the presiding United States District Judge. Both sides are reminded that pursuant to Rule 72(b) they are entitled to note objections, if any they may have, to this Report and Recommendation within (10) days hereof. Any adjudication of fact or conclusion of law rendered herein by the undersigned not specifically objected to within the period prescribed by law may become conclusive upon the parties. Failure to file specific objections pursuant to 28 U.S.C. § 636(b)(1)(C) as to factual recitations or findings as well as to the conclusions reached by the undersigned may be construed by any reviewing court as a waiver of such objection. The Clerk is directed to send a certified copy of this Report and Recommendation to all counsel of record.

ENTERED: *[Signature]*

U.S. Magistrate Judge

Date *[Signature]*